



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	11-05-13	AGENDA REQUEST NO:	VII-A
INITIATED BY:	RUTH M. LOHMER, AICP PRINCIPAL PLANNER	RESPONSIBLE DEPARTMENT:	PLANNING & CODE SERVICES
PRESENTED BY:	RUTH M. LOHMER, AICP PRINCIPAL PLANNER	DIRECTOR:	DOUGLAS SCHOMBURG, AICP DIR. OF PLANNING & CODE SERVICES <i>D.S.</i>
		ADDITIONAL DIRECTOR (S):	N/A
SUBJECT / PROCEEDING:	AMENDMENT TO THE TELFAIR CENTRAL RESERVE C PLANNED DEVELOPMENT DISTRICT, 2.209 ACRES OF COMMERCIAL PROPERTY AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD PUBLIC HEARING; FIRST READING OF ORDINANCE NO. 1936		
EXHIBITS:	VICINITY MAP, STAFF REPORT, EXCERPTS FROM ORDINANCE NO. 1899, APPLICATION, LETTER FROM APPLICANT, PUBLIC HEARING NOTICE, ORDINANCE NO. 1936		
CLEARANCES		APPROVAL	
LEGAL:	MEREDITH RIEDE, <i>M.R.</i> ASSISTANT CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>J.C.</i>
PURCHASING:	N/A	ASSISTANT CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Allen Bogard</i>
BUDGET			
EXPENDITURE REQUIRED: \$		N/A	
CURRENT BUDGET: \$		N/A	
ADDITIONAL FUNDING: \$		N/A	
RECOMMENDED ACTION			
Hold Public Hearing, approve Ordinance No. 1936 on First Reading and pass to Second Reading.			

EXECUTIVE SUMMARY

This request is for Amendment No. 1 to the Telfair Central Reserve C Final Development Plan. The property is 2.209 acres and is located at the southwest corner of University Boulevard and New Territory Boulevard in the Telfair development. City Council approved the PD Final Development Plan for Telfair Central Reserve C through the adoption of Ordinance No. 1899 on April 2, 2013.

After the adoption of the Final Development Plan, the property owner and developer held a meeting with City staff to discuss the proposed construction on the site. During the meeting it was determined that the original PD application did not fully reflect the property owner's plans for a Montessori School. The changes that must be made to the Final Development Plan to accommodate the specific needs of the applicant are not large-scale changes, but they are substantive enough that they cannot be accomplished through an administrative amendment by staff.

The Planning and Zoning Commission held a workshop to discuss the proposed amendment on August 13, 2013 and held a public hearing on September 10, 2013. No members of the public spoke during the hearing. During the discussions, the Commission asked for clarification on parking, height of the building, and uses in the building. On September 26, 2013 the Commission unanimously recommended approval of the Final Development Plan Amendment with a minor clarification to be made on Site Layout Plan Option A (identify the location of the fence). The clarification has been incorporated into the Final Development Plan in Ordinance No. 1936. Details of the Commission discussions are included in the staff report below.

The following are Points for Council's Consideration:

- The majority of the regulations established under Ordinance No. 1899 have been maintained in the proposed Amendment No. 1 to the Telfair Central Reserve C Final Development Plan. The primary changes include:
 - Increased square footage of building from 17,000 square feet to 27,000 square feet.
 - Addition of Elementary and Secondary Schools (SIC 8211) as a permitted use, but may not be a primary use on the site.
 - New building elevations.
- Staff has reviewed a queuing analysis and has concurred with its findings that the proposed use will not have a negative impact on either New Territory Boulevard or University Boulevard.

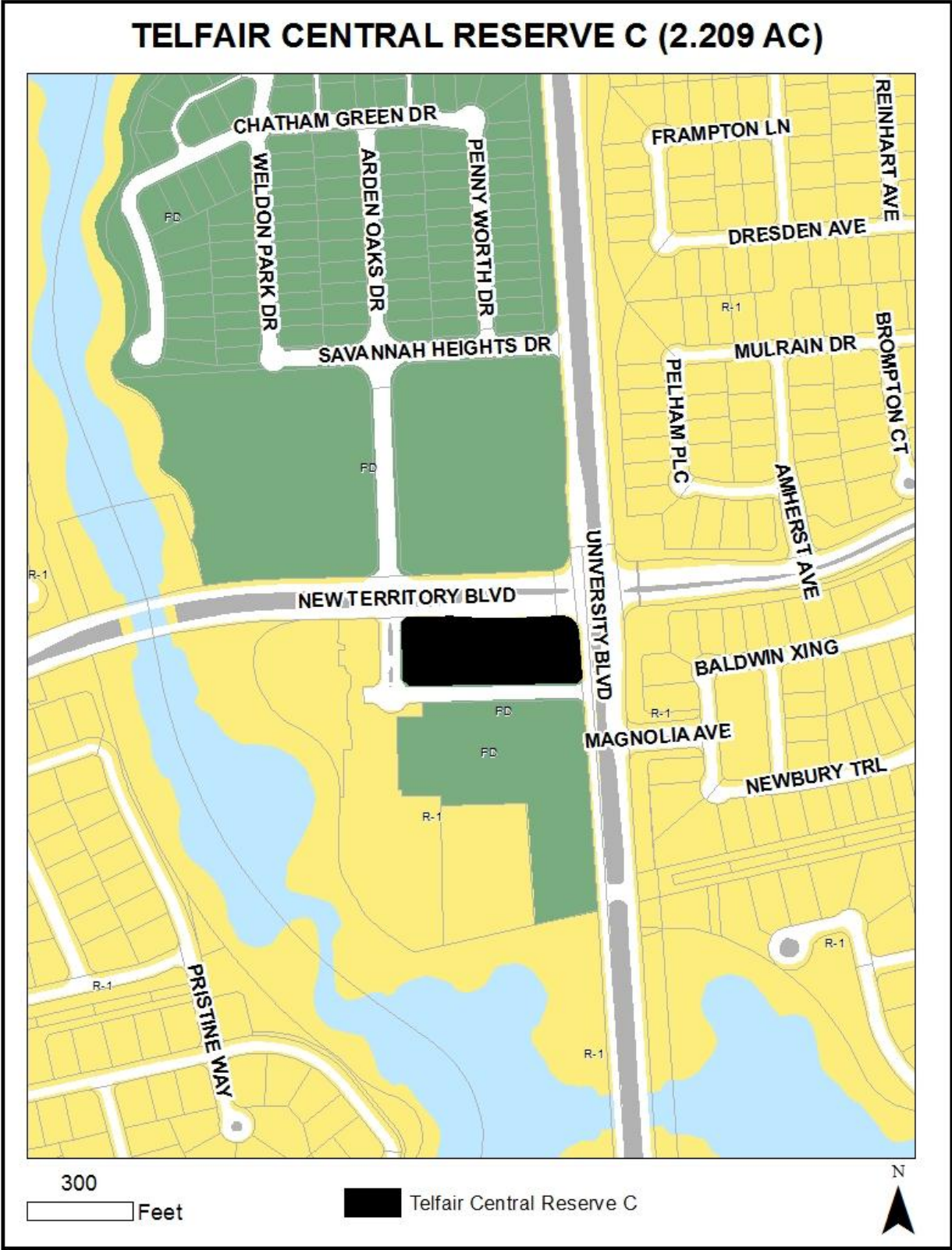
The Planning and Zoning Commission and Planning & Code Services Staff recommend that City Council approve Ordinance No. 1936 on first reading and pass to second reading.

CC: Jim Lawless, lawlessaia@aol.com; Cambridge Casa Dei Bambini, nizar.cdbm@gmail.com

Planning Case No.: 13 21000008
Document No.: P0017199

EXHIBITS

Vicinity Map:



Aerial Image:



Staff Report:

SUMMARY OF CHANGES:

Typically Montessori schools are classified as Child Day Care Services (SIC 8351) due to their focus on pre-school aged children. For this reason, SIC 8351 was included as a permitted use in the Telfair Central Reserve C Final Development Plan. However, since that time it has been determined that the proposed use on the site also includes components of an elementary school and private tutoring. As a result, the property owner is requesting an amendment to the PD to add SIC 8211 Elementary Schools and SIC 8299 Schools and Educational Services, Not Elsewhere Classified (includes tutoring). The total number of students proposed for the day care is 225, and the total number of students proposed for the elementary school/private tutoring is 75. Under the adopted PD, the total number of day care students is limited 300. Therefore, the change in use shifts the type of students, but results in no increase in the number of students on the site. The applicant is not proposing to change the cap of 300 overall children at the facility. The number of elementary school/private tutoring students is limited to 75 in the proposed Amendment.

In addition, the approved PD Site Plan limited the gross square footage (GSF) to 17,000 square feet. This is the square footage the applicant proposed to include on the first floor of the building, but he would also like to have a second floor space. The applicant anticipates constructing a 24,500 square-foot building, and has requested that the building be limited to 27,000 square feet. The will allow for some tolerance, in case the building footprint changes slightly and increases the overall square footage. The applicant has provided more specific elevations for the site, now that building development plans are underway. The elevations differ slightly from those approved in the original PD, but are not a significant deviation. They have been examined by the Director of Planning & Code Services and determined to be an upgrade of the basic elevation shown in the adopted PD, and are supported by staff.

Included below are the original site plans and building elevations that were attached to Ordinance No. 1899. Additionally, the original Final Development Plan is included, with the proposed revisions shown in red.

PLANNING & ZONING COMMISSION REVIEW:

Workshop

The Planning and Zoning Commission reviewed the proposed amendment to the Final Development Plan for Telfair Central Reserve C at a workshop on August 13, 2013. The Commission discussed the two site layout plan options with the addition of the second story, and whether the parking requirements could be met if the site were to be utilized for retail. Staff has reviewed the proposed building square footage and the Development Code requirements for the site and determined that the building will not be able to be occupied solely by retail businesses. The site is not large enough to accommodate the parking that is required for the entire building. However, since approximately 7,100 square feet of the building is in the second floor, it is unlikely that this would be utilized by retail businesses. The site could be utilized for a combination of uses, with some retail and some office, or service uses. The parking on the site would accommodate a combination of uses.

The Commission also asked about the height of the building in comparison to the height of the building shown in the original Final Development Plan. Although the roofline is slightly taller in the new building elevations, it is still in compliance with the maximum 40 feet established by the original Final

Development Plan.

Public Hearing, Discussion & Direction

The Commission reviewed and held a public hearing on the proposed amendment on September 10, 2013. No members of the public spoke during the hearing. The Commission further discussed the parking on the site relative to the various permitted uses. The Commission requested that the PD be modified so that the site must be utilized entirely as a Montessori School or as a combination of other permitted uses. This change has been made in Exhibit B under Section C. 1. In addition, Section C. 2 clarifies that if the site is developed as a Montessori School or Child Day Care Services, it must be developed in compliance with Site Layout Plan Option A (Exhibit B-1).

The Commission also asked about the required two-foot overhang that was included in the original PD, and questioned why it had been removed. The applicant clarified that their intent was to provide a 1.5-foot overhang. The PD has been revised to require the planned 1.5-foot overhang.

Recommendation

The Planning and Zoning Commission unanimously recommended approval of the Final Development Plan Amendment on September 26, 2013 with a minor clarification to be made on Site Layout Plan Option A (identify the location of the fence).

ANALYSIS:

The proposed PD ordinance will contain a metes and bounds legal description and the Final Development Plan (attached). The Final Development Plan includes development regulations related to building setbacks, building regulations, and landscaping and circulation regulations. The Plan also contains two options for the Final Site Layout Plan and a Permitted Uses Table (SIC Code based). The attached proposed Exhibit B includes the original language from Ordinance NO. 1899 with the revisions proposed shown in red.

Site Layout Plan

The Final Development Plan includes two options for a Final Site Layout Plan, which shows the general location of the proposed building and parking. In both plans, the building is located on the 40-foot building line along New Territory Boulevard. The parking is located behind the building, and the driveways into the site are from the private street Telfair Central Boulevard. The difference between the two site plan options is the number of parking spaces. If the site is developed with the Montessori School, then an outdoor play area is provided and sufficient parking spaces for the use. If the site is developed with uses other than Montessori School, then the required number of parking spaces would be greater than for the Montessori School, but the outdoor play area is no longer necessary.

Permitted Uses

The change to the Permitted Uses in the Final Development Plan is the inclusion of Elementary and Secondary Schools (SIC 8211), and the addition of conditions for this SIC code. The conditions also specify that SIC 8211 cannot be a primary use on the site, but must be developed in combination with SIC 8351 Child Day Care Services. Additionally, the maximum number of students for SIC 8211 and 8299 combined is 75, with the maximum number of students between SIC 8211, 8351, and 8299 (Schools and Educational Services, not elsewhere classified) being 300. The recent changes relative to “sensitive land uses” have also been incorporated into the permitted uses. Specifically, Personal Credit Institutions (SIC 6141) now excludes check cashing, credit access business, and motor vehicle title

loans.

Development Regulations

Most of the development regulations established in the original Final Development Plan have been maintained in the proposed amendment. Building setbacks, parking lot setbacks, landscaping setbacks and landscaping requirements are the same. The most significant change between the original Plan and the proposed amendment is the maximum square footage of the building. The original Final Development Plan limited the building to 17,000 square feet. The proposed amendment includes a 27,000 square-foot building, which includes a ground floor and a second floor. Staff does not believe the modification is problematic for the site.

Pedestrian & Bicycle Regulations

The proposed amendment to the Final Development Plan maintains the pedestrian and bicycle regulations established in the original plan. Six-foot sidewalks are existing along University Boulevard and New Territory Boulevard, and a five-foot sidewalk exists on the north-south portion of Telfair Central Boulevard. A five-foot sidewalk will be constructed on the remainder of Telfair Central Boulevard (east-west). Pedestrian walkways will be provided to connect the building entrance to the public sidewalks. Bicycle parking is required within 50 feet of the building's entrance.

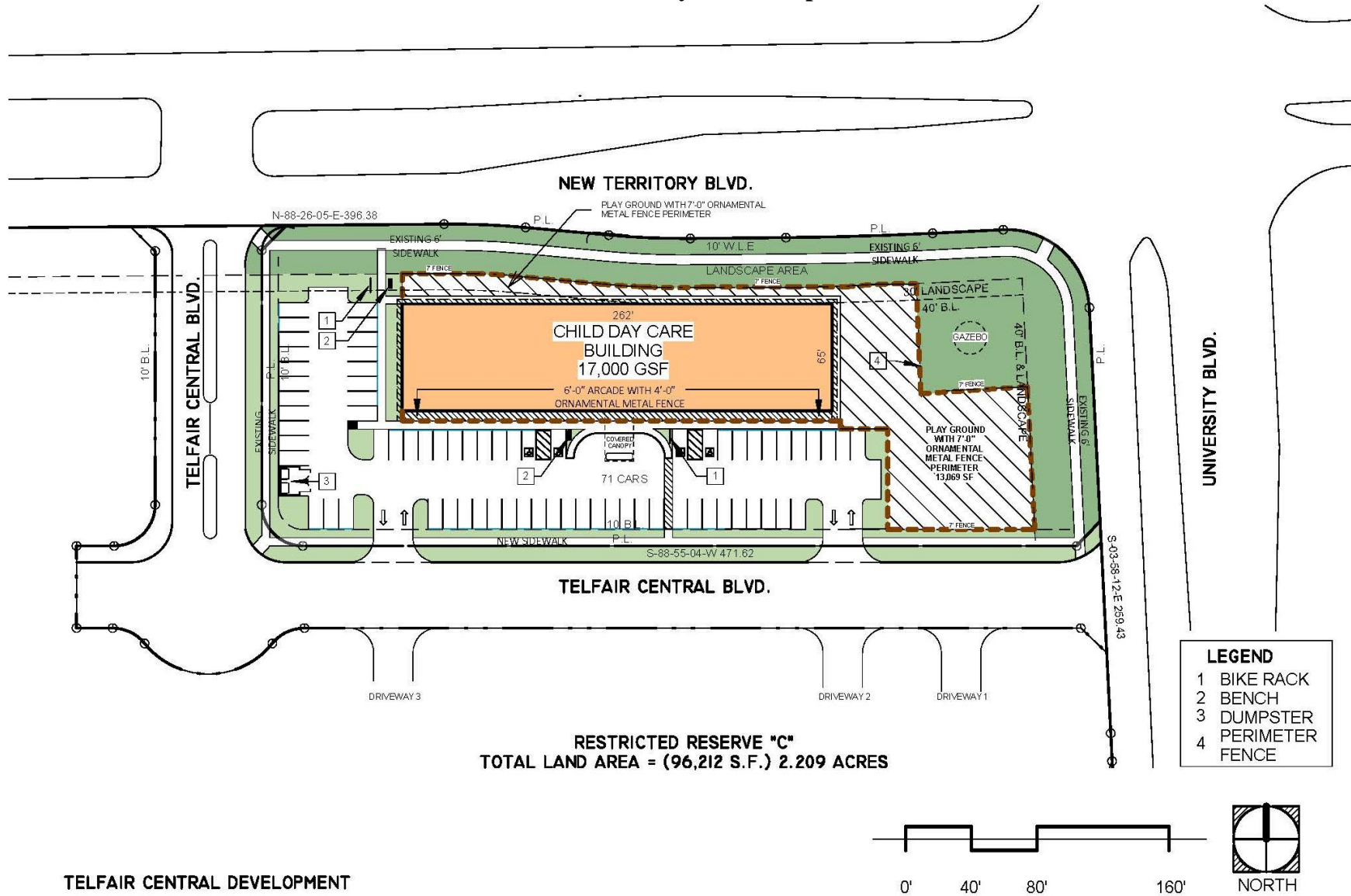
Building Regulations

The building regulations are predominantly the same in the proposed amendment to the Final Development Plan. Building finishes must be a minimum 80% primary finishes, and primary finishes include brick, stone (natural, cast, or cultured-textured), stucco and glass. In addition, each façade must be at least 20% transparent, and facades facing the public streets must be a minimum of 25% transparent. The Final Development Plan also requires that storefronts, canopies, arcades, display windows, entry areas, awnings or other features be placed along at least 50% of the building's horizontal length. These regulations prohibit a building from turning its "back" to the public street, since the parking is in the rear. The one change made to the building regulations is the removal of the requirement for eaves to overhang a minimum of two feet. The property owner has requested the removal of this requirement.

POINTS FOR CONSIDERATION:

- The majority of the regulations established under Ordinance No. 1899 have been maintained in the proposed Amendment No. 1 to the Telfair Central Reserve C Final Development Plan. The primary changes include:
 - Increased square footage of building from 17,000 square feet to 27,000 square feet.
 - Addition of Elementary and Secondary Schools (SIC 8211) as a permitted use, but may not be a primary use on the site.
 - New building elevations.
- Staff has reviewed a queuing analysis and has concurred with its findings that the proposed use will not have a negative impact on either New Territory Boulevard or University Boulevard.

Exhibit B-1: Site Layout Plan Option A

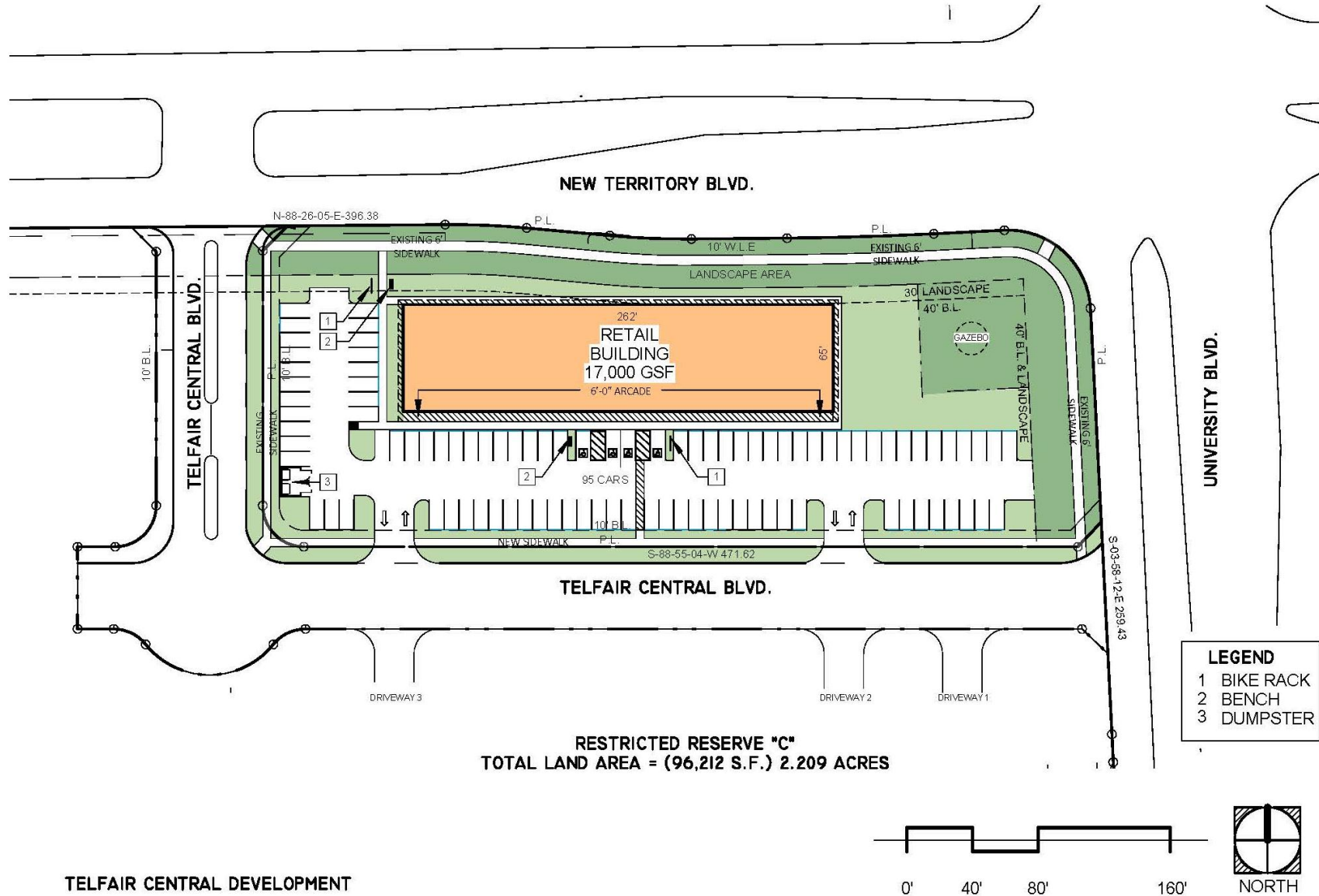


SITE PLAN
NEW TERRITORY AND UNIVERSITY BLVD.
SUGAR LAND, TEXAS

BROWNE MCGREGOR ARCHITECTS, INC
FEB. 15, 2013.

Excerpt from original Final Development Plan (Ordinance No. 1899)

Exhibit B-2: Site Layout Plan Option B



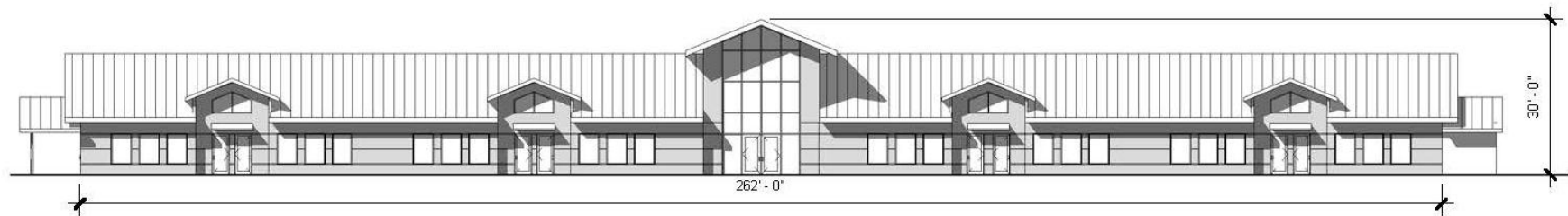
TELFAIR CENTRAL DEVELOPMENT

SITE PLAN
NEW TERRITORY AND UNIVERSITY BLVD.
SUGAR LAND, TEXAS

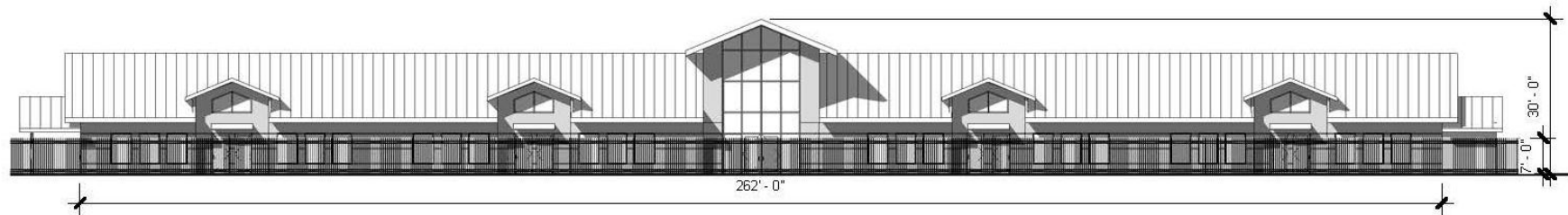
BROWNE MCGREGOR ARCHITECTS, INC
FEB. 15, 2013.

Excerpt from original Final Development Plan (Ordinance No. 1899)

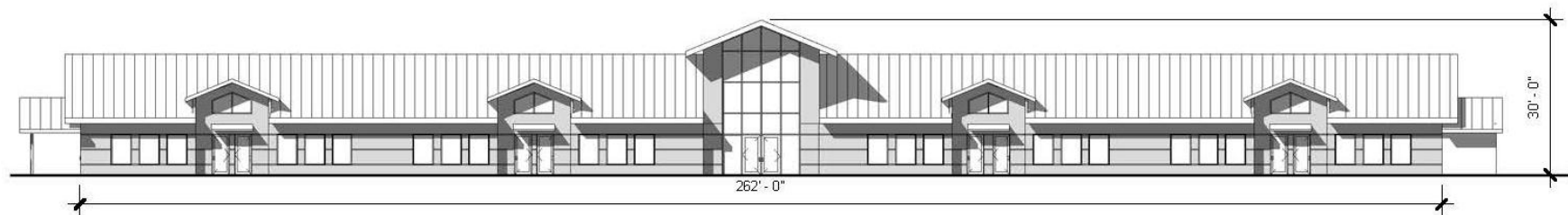
Exhibit B-4: Concept Elevation – North Facade



① NORTH - NEW TERRITORY BLVD. - CHILD CARE USE W/O FENCE



② NORTH - NEW TERRITORY BLVD. - CHILD DAY CARE USE WITH FENCE



③ NORTH - NEW TERRITORY BLVD. - RETAIL USE

TELFAIR CENTRAL DEVELOPMENT

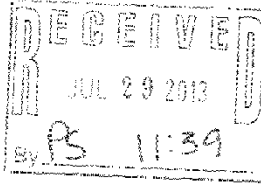
SITE PLAN
NEW TERRITORY AND UNIVERSITY BLVD.
SUGAR LAND, TEXAS

BROWNE MCGREGOR ARCHITECTS, INC.
FEB. 15, 2013.

Application:



**PLANNED DEVELOPMENT
DISTRICT APPLICATION**



FOR OFFICE USE	
(Rev. 1/1/13)	
Accounting Code: <u>ZC</u>	
2013 Fee: See below	
Fee Required	<u>\$1640.00</u>
Case No.	<u>13-21000008</u>

Return Your Submittal To Development Planning (Attn: Development Review Coordinator)
Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, Tx 77479, Phone#: (281) 275-2218

PROJECT NAME CASA DEI BAMBINI MONTESORRI

Submittal Type & Fee
☐ General Development Plan: \$1,600 + \$20/per acre or portion (max. \$3,000)
☐ Final Development Plan: \$1,600 + \$20/per acre or portion (max. \$3,000)
☒ PD Amendment: \$1,600 + \$20/per acre or portion (max. \$3,000)
☐ PD Administrative Amendment: \$200

Name of Current PD (if not Gen. Dev. Plan) TELFAR CENTRAL RESERVE C

Location Description 108 TELFAR CENTRAL BLVD.

Property Acreage 2.209 Current Zoning District PD

CONTACT INFORMATION

Property Owner (Please Note - the Property Owner's Information Must be provided):

Name Sounbridge Casa Dei Bambini

Address 5231 TURNING LEAF LN SUGARLAND, TX 77479

Phone 281-773-5521 CELL Email nizar.cabm@gmail.com

Property Owner's Authorization (May be submitted under separate cover on company letterhead):

I am the owner of the property for which this application is being made. I authorize

JIM LAWLESS, AIA (Project Representative) to submit this application
and to correspond with the City of Sugar Land regarding this application on my behalf.

X Nizar Cabm

Property Owner's Signature (Required)

7-24-13

Date

Project Representative:

Contact Person JIM LAWLESS, AIA PLLC

Company JIM LAWLESS, AIA PLLC

Address 4610 SWEETWATER BLVD #200-C SUGAR LAND TX

Phone 281-240-6101 Email lawlessaia@aol.com

This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application. I understand that this application will expire one year from the date of submittal if the Planning & Environmental Services Department has not received a revised submittal.

X Jim Lawless

Project Representative's Signature

7.26.13

Date

Please note: a courtesy notification sign will be placed on the subject property during the public hearing process and will be removed after the public hearing.

Please contact Development Planning staff at 281-275-2218 to discuss your proposal prior to submitting a Planned Development District application.

Letter from Applicant:

Jim Lawless, AIA PLLC
4610 Sweetwater Blvd.
Suite 200-C
Sugar Land, TX. 77479
281.240.6101
281.240.7730 f

August 20, 2013

Doug Schomburg, AICP
City of Sugar Land
2700 Town Center Blvd. N.
Sugar Land, Texas 77479

Dear Doug,

Casa Dei Bambini Montessori would like to amend their current PD in regards to square footage of the building and clarify the use to include classrooms for a first through fifth Montessori curriculum. The total number of student enrollment remains 300, as stated in the original PD. Of the 300 total enrollment, 225 students will be in Kinder classes and grade levels below. The remaining 75 students will be in first grade classes and above. The State of Texas mandates minimum square footage per student and maintaining an enrollment of 300 requires more than the 17,000 sf stated in the PD. The site can support the additional square footage with the enlarged building complying with stated setbacks and easements and parking counts based on occupancy type. Casa Dei Bambini request the square footage be amended to 27,000 sf.

The Montessori curriculum is unique and involves learning, activities and life lessons as opposed to a typical day care. As with their facility in Riverstone, this curriculum is offered to children up to fifth grade level. Casa Dei Bambini would like to verify that this use is allowed in the original PD and if not would request an amendment. As mentioned earlier we are not requesting an increase in enrollment so the drop off and pick-up will not be increased. As originally discussed the traffic flows in stages throughout the day based on the programs offered and ages of the students.

Should you have any questions or need clarification please do not hesitate to call.

Regards,

A handwritten signature in black ink, appearing to read "Jim Lawless", with a long horizontal flourish extending to the right.

Jim Lawless, AIA PLLC

NOTICE OF PUBLIC HEARING

**AMENDMENT TO TELFAIR CENTRAL RESERVE C
PLANNED DEVELOPMENT (PD) DISTRICT (FINAL DEVELOPMENT PLAN)
2.209 ACRES SOUTHWEST CORNER OF
UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD**

REQUEST TO AMEND THE TELFAIR CENTRAL RESERVE C PLANNED DEVELOPMENT (PD) DISTRICT TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF THE BUILDING, PROVIDE FOR ADDITIONAL PERMITTED LAND USES ON THE 2.209 ACRES, AND REVISED BUILDING ELEVATIONS, LOCATED ADJACENT TO THE EXISTING MUSEUM AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD, BEING RESTRICTED RESERVE "C" OUT OF TELFAIR CENTRAL (PLAT NO. 20080190).

ONE (1) PUBLIC HEARING SHALL BE HELD AT WHICH ALL PERSONS INTERESTED IN THE PROPOSED AMENDMENT TO THE PLANNED DEVELOPMENT DISTRICT AMENDMENT SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD.

**CITY OF SUGAR LAND CITY COUNCIL CHAMBER
2700 TOWN CENTER BOULEVARD NORTH**

**CITY COUNCIL
6:00 P.M., NOVEMBER 5, 2013**

DETAILS OF THE PROPOSED ZONING MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND DEVELOPMENT PLANNING OFFICE (281) 275-2218 OR EMAIL PLANNING@SUGARLANDTX.GOV. THE DEVELOPMENT PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M., AND LOCATED IN CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT THE PLANNING OFFICE IF YOU WISH TO SET UP AN APPOINTMENT TO REVIEW ADDITIONAL DETAILS IN PERSON.

ORDINANCE NO. 1936

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING TELFAIR CENTRAL RESERVE C FINAL DEVELOPMENT PLAN, LOCATED AT THE SOUTHWEST CORNER OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN THE TELFAIR DEVELOPMENT; RE-ADOPTING THE FINAL DEVELOPMENT PLAN; AND REPEALING ORDINANCE NO. 1899.

WHEREAS, by the adoption of Ordinance No. 1899 on April 2, 2013, the City Council approved a change of zoning to create a planned development district for 2.209 acres of land located at the southwest corner of University Boulevard and New Territory Boulevard in the Telfair Development, and approved a final development plan for the PD district; and

WHEREAS, Casa Dei Bambini is requesting an amendment to the Planned Development District, Final Development Plan in order to expand their school within the PD; and

WHEREAS, the Planning and Zoning Commission recommends approval of the amendment; and

WHEREAS, the City Council has held a public hearing on the proposed amendment for which a notice was published at least fifteen days prior to the hearing date; and

WHEREAS, for convenience of reference, the City Council wishes to adopt a new final development plan for the entire PD, incorporating the amendment; NOW, THEREFORE;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:

Section 1. That the facts and recitations set forth in the preamble of the ordinance are hereby declared true and correct.

Section 2. That the Final Development Plan – Amendment No. 1 as shown in Exhibit B is approved.

Section 3. That the following Exhibits are attached to and incorporated into this ordinance:

Exhibit A:	Property Description
Exhibit B:	Final Development Plan – Amendment No. 1
Exhibit B-1:	Site Layout Plan Option A
Exhibit B-2:	Site Layout Plan Option B
Exhibit B-3:	Permitted Uses
Exhibit B-4:	Concept Elevations

Section 4. That the City's official zoning map is amended to show the change in zoning district classification.

Section 5. That Ordinance No. 1899 is repealed.

APPROVED on first consideration on _____, 2013.

ADOPTED on second consideration on _____, 2013.

James A. Thompson, Mayor

ATTEST:

Glenda Gundermann, City Secretary

APPROVED AS TO FORM:

Meredith Reed

Attachment: Exhibit A – Property Description
Exhibit B - Final Development Plan – Amendment No. 1
Exhibit B-1 - Site Layout Plan Option A
Exhibit B-2 - Site Layout Plan Option B
Exhibit B-3 - Permitted Uses
Exhibit B-4 - Concept Elevations

Property is platted as Reserve C (2.209 acres), Telfair Central, plat number 20080190 of the Fort Bend County Plat Records

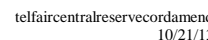


EXHIBIT B
FINAL DEVELOPMENT PLAN
Telfair Central Reserve C
Amendment No. 1
2.209 Acres

A. Contents. This final development plan includes the following sections:

- General Provisions
- Land Uses
- Development Regulations for Nonresidential
- Landscape and Pedestrian Circulation Regulations
- Freestanding Signs
- Building Regulations

B. General Provisions.

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-2 (General Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-2 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.
2. Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:

Montessori School means an establishment that is primarily Child Day Care Services (SIC 8351), but also includes limited Elementary School (SIC 8211) and Schools and Educational Services, not elsewhere classified (SIC 8299).

Open Space means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas (outside of publicly accessible plazas), or other impermeable material.

PD means the planned development district created by this ordinance.

Pavers mean colored interlocking bricks, tiles, stones, blocks, or concrete units.

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan:

Exhibit B-1: *Site Layout Plan Option A*

Exhibit B-2: *Site Layout Plan Option B*

Exhibit B-3: *Permitted Uses*

Exhibit B-4: *Concept Elevations*

C. Land Uses and Site Layout.

1. Permitted land uses for the district are listed in *Exhibit B-3: Permitted Uses*: an “X” indicates a permitted use. The building must be utilized in one of the following ways:
 - (a) Entirely as a Montessori School; or
 - (b) Entirely as Child Day Care Services; or
 - (c) As a combination of permitted uses that do not include a Montessori School nor Child Day Care Services.
2. The site must be developed in accordance with Site Layout Option A if utilized by a Montessori School or Child Day Care Services. The site must be developed in accordance with Site Layout Plan Option B if utilized by a combination of other uses.
3. Certain land uses are permitted when developed under specified conditions as established in the Notes section of *Exhibit B-3: Permitted Uses*.
4. All other land uses are prohibited in this district.

D. Development Regulations—The PD shall be developed in accordance with the following development regulations:

1. Maximum height of structures:
 - (a) 40 feet above ground level.
2. Maximum building size: 27,000 square feet gross floor area. Note: all uses must comply with parking requirements established in the Development Code.
3. Minimum building setbacks:
 - (a) Abutting University Boulevard: 40 feet
 - (b) Abutting New Territory Boulevard: 40 feet
 - (c) Abutting Telfair Central Boulevard: 10 feet

4. Minimum parking lot setbacks:

- | | |
|-------------------------------------|---------|
| (a) University Boulevard lot lines: | 40 feet |
| (b) New Territory Boulevard: | 30 feet |
| (c) Telfair Central Boulevard: | 10 feet |

5. Paving:

- (a) Driveways and access easements shall be paved with either a concrete surface or interlocking pavers supported by a 6 inch reinforced concrete tray and a sub-grade, per City design standards.

6. Outside Use:

- (a) Merchandise may not be displayed or stored outside the building on a temporary or permanent basis.
- (b) Playground areas, as required by local, state, and federal regulations for Child Day Care Services or Montessori School use shall be established as shown on *Exhibit B-1: Site Layout Plan Option A*.

E. Landscape and Pedestrian Circulation Regulations –The PD shall be developed in accordance with the following landscape and pedestrian circulation regulations:

1. Minimum widths for landscape buffers, continuous along:

- | | |
|--------------------------------|---------|
| (a) University Boulevard: | 40 feet |
| (b) New Territory Boulevard: | 30 feet |
| (c) Telfair Central Boulevard: | 10 feet |

2. Landscape buffers may be used for future transit stops.

3. Minimum 15% open space of lot area, inclusive of landscape buffers.

4. Along all streets, the site shall have one shade tree located in the required landscape buffer for each 30 feet of lot width, or portion thereof, measured along the lot line. The trees may be clustered or spaced linearly; they need not be placed evenly.

5. Shade trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.

6. Sidewalks or pedestrian walkways shall be provided along all public streets adjacent to the PD.

7. Sidewalks:

- (a) Sidewalks with a minimum 5-foot width shall be provided along Telfair Central Boulevard.
 - (b) Sidewalks with a minimum 6-foot width shall be provided along University Boulevard and New Territory Boulevard.
8. Pedestrian walkways with a minimum 5-foot width shall be provided to connect the building to the public and private street sidewalks, as shown on *Exhibit B-1: Site Layout Plan Option A* and *Exhibit B-2: Site Layout Plan Option B*.
9. Bicycle racks shall be provided as shown on *Exhibit B-1: Site Layout Plan Option A* and *Exhibit B-2: Site Layout Plan Option B*. Each bicycle rack shall provide for parking for at least 5 bicycles.
10. Benches for pedestrians shall be provided as shown on *Exhibit B-1: Site Layout Plan Option A* and *Exhibit B-2: Site Layout Plan Option B*.

G. Signs.

1. All signs shall be in conformance with the Development Code, Chapter 4.

H. Building Regulations – Buildings within the PD shall be developed in accordance with the following building regulations:

1. Building shall be designed in accordance with the following criteria:
- (a) Break up the horizontal and vertical building planes through offsets, changes in building materials, colors and textures, or other methods; and
 - (b) Incorporate architectural details that create shade and cast shadows to provide visual relief.
 - (c) Facades greater than 100 feet in length that face public streets shall incorporate offsets having a minimum depth of at least 2 feet, and extending at least 20% of the length of the façade.
 - (d) No uninterrupted length of a street-facing façade shall exceed 100 feet.
2. Building finishes:
- (a) Primary Finish means an Exterior Finish consisting of brick, stone (natural, cast, or cultured-textured), stucco and glass.
 - (b) Secondary Finish means an exterior finish consisting of wood, ceramic tiles, concrete masonry units (indented, hammered, or split face concrete), and fiber cement siding.
 - (c) For buildings within the PD, Primary Finishes shall comprise at least 80% of each façade. The remaining portion of an Exterior Wall that is not required to be constructed of a Primary Finish must be constructed of a Secondary Finish.

However, no single building material shall cover more than 80% of any façade of the building.

- (d) The use of architectural metals is limited to canopies, parapet walls, roof systems, and miscellaneous trim work, and such use shall meet the durability standards of the Development Code.
- (e) The Director may approve alternative Primary or Secondary Exterior Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Exterior Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.
- (f) The following building materials shall not be used as an Exterior Finish:
 - (i) Vinyl siding, wood fiber hardboard siding, oriented strand board siding, plastic, or fiberglass panels.
 - (ii) Unfired or underfired clay, sand, or shale brick.
 - (iii) Smooth or untextured surfaces.
 - (iv) Exterior Insulated Finish Systems (E.I.F.S.).

3. Buildings:

- (a) The north-facing façade shall be developed in accordance with *Exhibit B-4: Concept Elevations*.
- (b) Canopies and roof eaves may extend up to 3 feet beyond a building setback in accordance with *Exhibit B-1: Site Layout Plan A* and *Exhibit B-2: Site Layout Plan B*.
- (c) Canopies shall be provided at all street-facing building entrances intended for pedestrians. Canopies may be structural extensions of the building or constructed of fabric attached to the building. An individual canopy shall cover a ground area of at least 20 square feet.
- (d) All building facades shall be at least 25% transparent in order to permit visibility between building occupants and outdoor pedestrians and motor vehicle drivers.
- (e) Ground floor facades for multi-tenant retail buildings that face public streets shall have storefronts, canopies, arcades, display windows, entry areas, awnings or other features along at least 50% of their horizontal length.

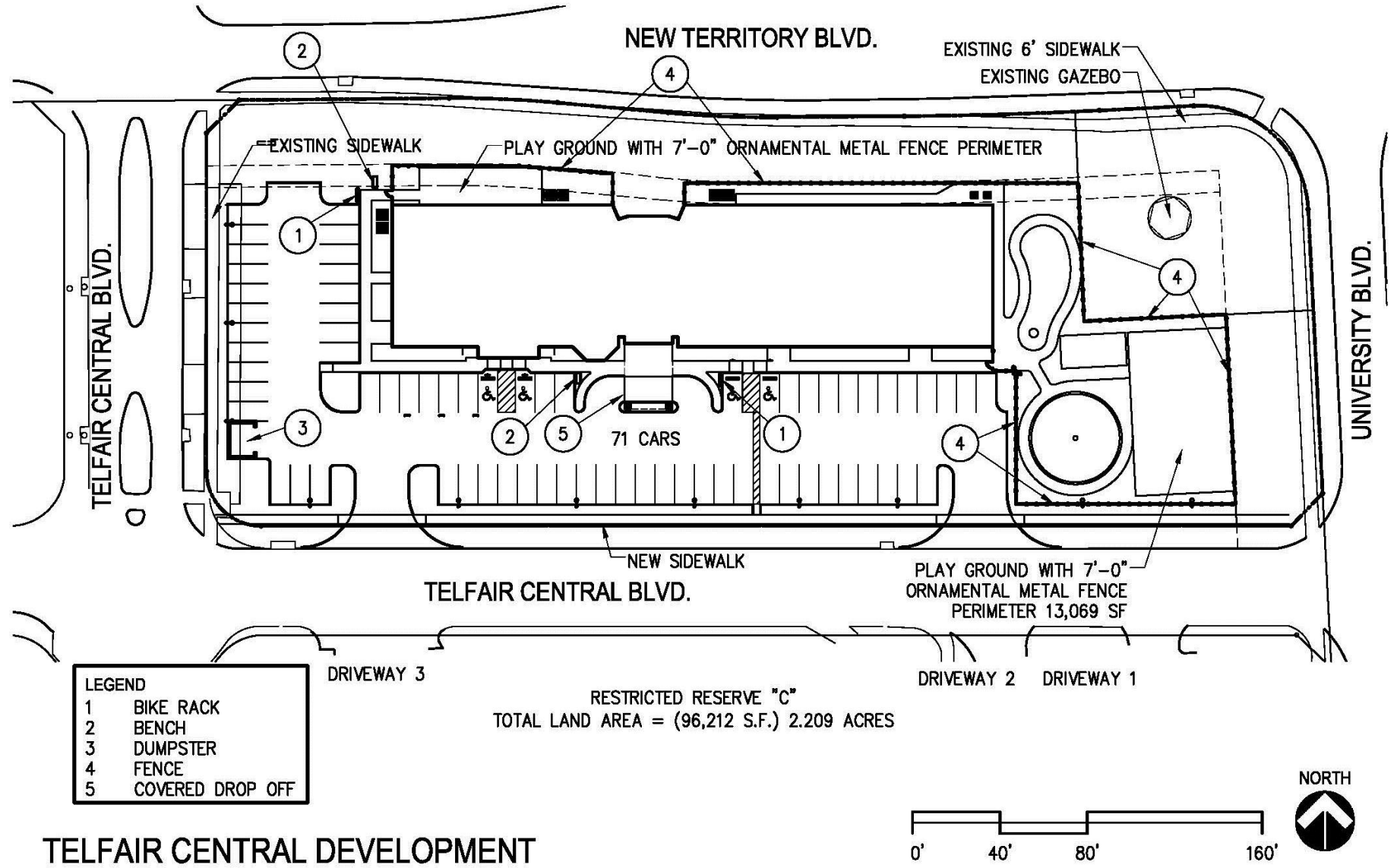
4. Roofs:

- (a) Roofing materials shall be standing seam metal roof systems.
- (b) All roof overhangs shall be a minimum of 1.5 feet.
- (c) Roofs shall provide sufficient covered pedestrian areas at entry and exit areas of the building.

5. Screening walls, wing walls, columns, and similar building extensions and supports shall be of complementary architectural design, color and materials as the building or structure to which they are attached.

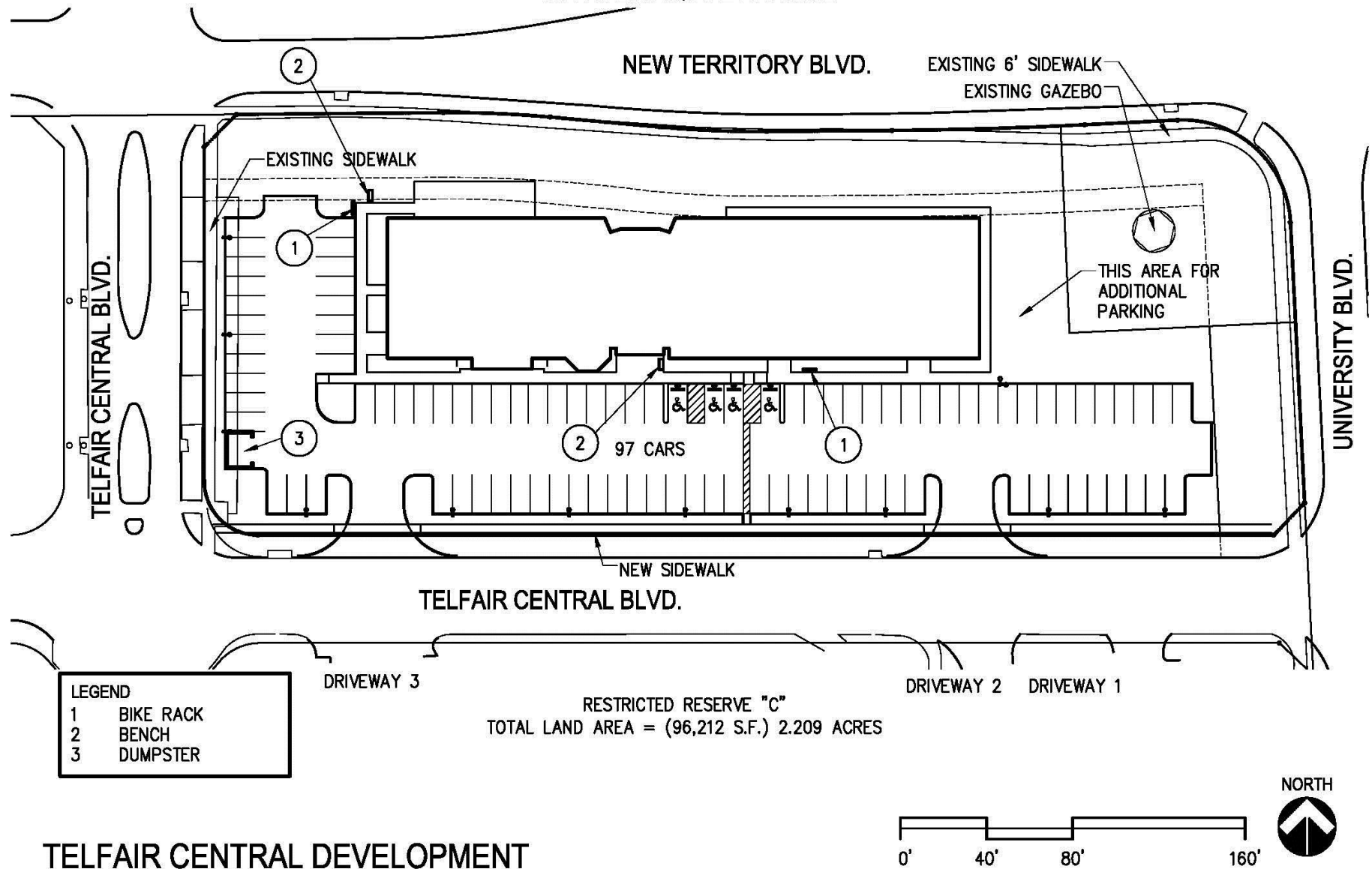
6. Fencing: In accordance with *Exhibit B-1: Site Layout Plan A*, if the site is developed as Child Day Care Services or as a Montessori School, a fence shall be provided on the site as required by local, state, and federal regulations. The fence shall:
 - (a) Be 7-feet in height;
 - (b) Be of factory-coated ornamental metal, for example: wrought iron, tubular steel, tubular aluminum, or a material of similar design and durability, as determined by the Director;
 - (c) Include evenly spaced openings within the fence, so as to provide visibility from one side of the fence to the other.

SITE LAYOUT PLAN OPTION "A"
MONTESSORI WITH PLAYGROUND



TELFAIR CENTRAL DEVELOPMENT

**SITE LAYOUT PLAN OPTION "B"
WITH ADDITIONAL PARKING**



TELFAIR CENTRAL DEVELOPMENT

Exhibit B-3

Permitted Uses

USES	SIC CODE	See note:
RETAIL:		
Paint, Glass and Wallpaper Stores (10,000 sq ft maximum per store)	5231	X
Lawn & Garden Supply Stores	5261	X
Misc. General Merchandise, only as follows:	5399	X
Catalog Showrooms - General Merchandise (Except Catalog Mail-order retail),		
Country General Stores-Retail, General Merchandise Stores-Retail		
General Stores-Retail		
Fruit and Vegetable Markets	5431	X
Candy, Nut and Confectionery Stores	5441	X
Retail Bakeries	5461	X
Men's and Boys' Clothing Stores	5611	X
Women's Clothing Stores	5621	X
Women's Accessory & Specialty Stores	5632	X
Children's and Infant's Wear Stores	5641	X
Family Clothing Stores	5651	X
Shoe Stores	5661	X
Miscellaneous Apparel & Accessory Stores	5699	X
Furniture and Home furnishings Stores (15,000 s.f. max per store)	5712-5719	X
Household Appliance Stores (15,000 s.f. max per store)	5722	X
Radio, Television, & Computer Stores (15,000 s.f. max per store)	5731-5736	X
Eating Places	5812	X
Drug Stores and Proprietary Stores	5912	X
Sporting Goods Stores and Bicycle Shops	5941	X
Book Stores	5942	X
Stationery Stores	5943	X
Jewelry Stores	5944	X
Hobby, Toy, and Game Shops (10,000 s.f. maximum per shop)	5945	X
Camera and Photographic Supply Stores	5946	X
Gift, Novelty, and Souvenir Shops	5947	X
Luggage and Leather Goods	5948	X
Sewing, Needlework, and Piece Goods Stores	5949	X
Catalog and Mail-Order Houses	5961	X
Direct Selling Establishments (telephone or house-to-house)	5963	X
Florists	5992	X
Tobacco Stores excluding Stands	5993	X
News Dealers and Newsstands	5994	X
Optical Goods Stores	5995	X
Miscellaneous Retail Stores, not elsewhere classified - only as follows:	5999	X

Architectural Supplies, Art Dealers, Artificial Flowers, Artists' Supply and Material Stores, Auction Rooms (general merchandise), Autograph and Philatelist Supply Stores, Awing Shops, Baby Carriages, Baking and Cake Decorating Supply Stores, Banner Shops, Candle Shops, Coin Shops (except mail-order), Cosmetics Stores, Electric Razor Shops, Flag Shops, Gem Stones (rough), Gravestones (finished), Hearing Aids, Ice Dealers, Monuments (finished to custom order) Orthopedic and Artificial Limb Stores, Pet Food Stores, Pet Shops (no outdoor runs allowed), Picture Frames (ready-made), Police Supply Stores, Religious Goods Stores (other than books), Rock and Stone Specimens, Rubber Stamp Stores, Sales Barns, Stamps-Philatelist (except mail-order), Stones, Crystalline (rough), Telephone Stores, Telescopes, Tent Shops, Tombstones, Trophy Shops, Typewriter Stores, Whirlpool Baths

Permitted Uses

<u>FINANCE, INSURANCE, AND REAL ESTATE:</u>			
Federal & Federally Sponsored Credit	6111	X	
Personal Credit Institutions	6141	X	1
Business Credit Institutions	6153-6159	X	
Mortgage Bankers and Brokers	6162-6163	X	
Security and Commodity Brokers, Dealers, Exchanges, Services	6211-6289	X	
Insurance Carriers	6311-6399	X	
Insurance Agents, Brokers, and Service	6411	X	
Operators of Nonresidential Buildings	6512	X	
Operators of Apartment Buildings (Off-Site Management Only)	6513	X	
Operators of Dwellings Other than Apartment Buildings	6514	X	
Real Estate Agents and Managers	6531	X	
Title Abstract Offices	6541	X	
Land Subdividers and Developers	6542-6553	X	
Holding Offices	6712-6720	X	
Investment Offices	6722-6799	X	
<u>SERVICES:</u>			
Garment Pressing, and Agents for Laundries and Dry Cleaners (pressing and pickup-drop off only)	7212	X	
Photographic Studios, Portraits	7221	X	
Beauty Shop	7231	X	
Barber Shop	7241	X	
Shoe Repair Shop and Shoeshine Parlors	7251	X	
Tax Return Preparation	7291	X	
Advertising Agencies	7311	X	
Outdoor Advertising Services	7312	X	
Radio, Television & Publishers' Representatives	7313	X	
Advertising, not elsewhere classified	7319	X	
Credit Reporting and Collection	7322-7323	X	
Mailing, Reproduction, Stenographic	7331-7338	X	
Personnel Supply Services	7361-7363	X	
Computer Programming, Data Processing, and Other Computer Related Services	7371-7379	X	
Security Systems Services	7382	X	
News Syndicates	7383	X	
Photofinishing Laboratories	7384	X	
Business Services, not elsewhere classified	7389	X	
Watch, Clock, and Jewelry Repair	7631	X	
Dance Studio and Schools (Limited to 10,000 s.f.)	7911	X	
Offices & Clinics of Doctors, Dentists, Chiropractors, Optometrists and Podiatrist	8011-8043	X	
Legal Services	8111	X	
Elementary and Secondary Schools	8211	X	2, 3

Permitted Uses

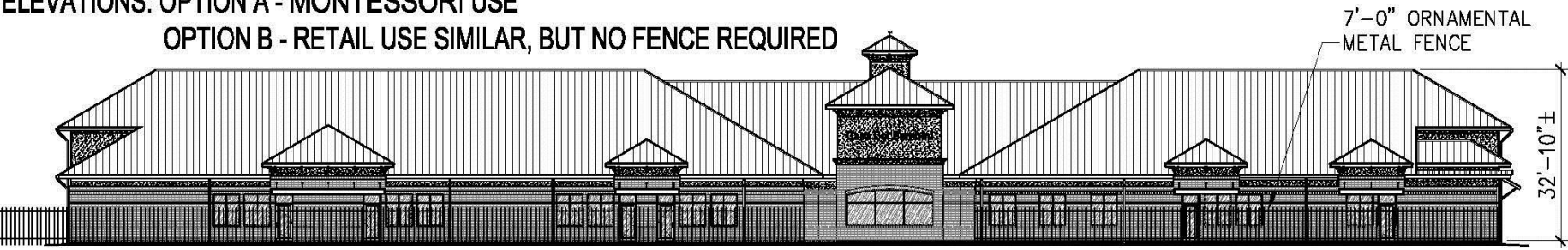
Schools and Educational Services, not elsewhere classified - only as follows:	8299	X	2, 4
Art Schools (except commercial), Automobile Driving Instruction, Baton Instruction, Bible Schools (not operated by churches), Ceramic Schools, Charm Schools, Civil Service Schools, Continuing Education Schools, Curriculum Development (educational), Diction Schools, Drama Schools, Finishing Schools (charm and modeling), Flying Instruction, Hypnosis Schools, Language Schools, Modeling Schools (clothes), Music Schools, Personal Development Schools, Public Speaking Schools, Reading Schools, Speed Reading Courses, Student Exchange Programs, and Survival Schools			
Child Day Care Services	8351	X	2
Civic and Social Organizations	8641	X	
Engineering Services	8711	X	
Architectural Services	8712	X	
Surveying Services	8713	X	
Accounting, Auditing & Bookkeeping Services	8721	X	
Services, not classified elsewhere - only as follows:	8999	X	
Actuaries (consulting), Advertising Copy (writers of), Announcers (radio and television service), Art Restoration, Artificial Nucleation (cloud seeding), Artist's Studios (except commercial and medical), Authors, Chemists (consulting), Christian Science lectures, Consultants (nuclear), Entomologists (consulting), Geologists (consulting), Ghost Writing, Greeting Cards (hand painting of), Inventors, Lecturers, Music Arrangers, Newspaper Columnists, Physicists (consulting), Psychologists (industrial), Radio Commentators, Sculptors' Studios, Song Writers, Stained Glass Artists, Weather Forecasters, Writers			

Notes:

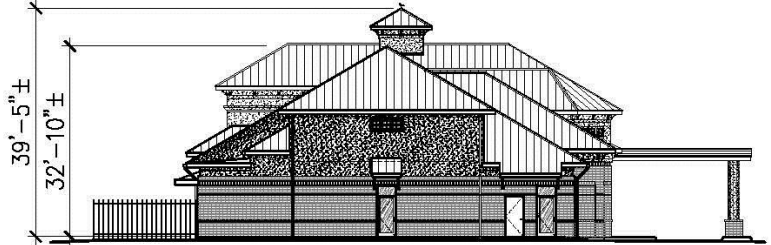
1. Personal Credit Institutions (SIC 6141) exclude check cashing, credit access business, and motor vehicle title loans (as defined in Chapter 393 of the Texas Finance Code).
2. Conditions for Montessori School and Child Day Care Services:
 - a. Shall be developed in accordance with an approved traffic circulation plan & traffic study, with on-site queing only.
 - b. Must provide dedicated outside play areas, and shall not retrofit parking lots for play areas.
 - c. When SIC 8211, SIC 8299, and SIC 8351 function as a single use ("Montessori School"), the three uses shall not have more than a total of 300 students enrolled (combined). Of the 300 students, SIC 8211 and SIC 8299 shall not have more than 75 students combined.
3. SIC 8211 may not be a primary use and must be developed in combination with SIC 8351.
4. SIC 8299 may be permitted as a primary use or in combination with SIC 8351.

Exhibit B-4

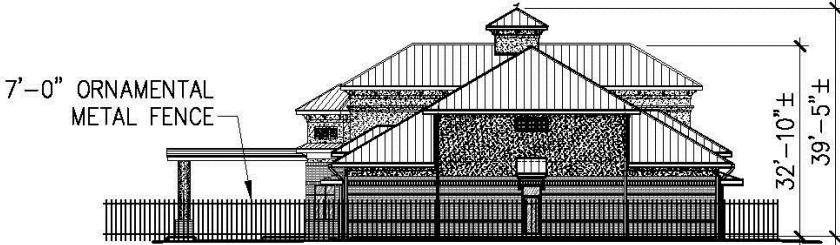
ELEVATIONS: OPTION A - MONTESSORI USE
OPTION B - RETAIL USE SIMILAR, BUT NO FENCE REQUIRED



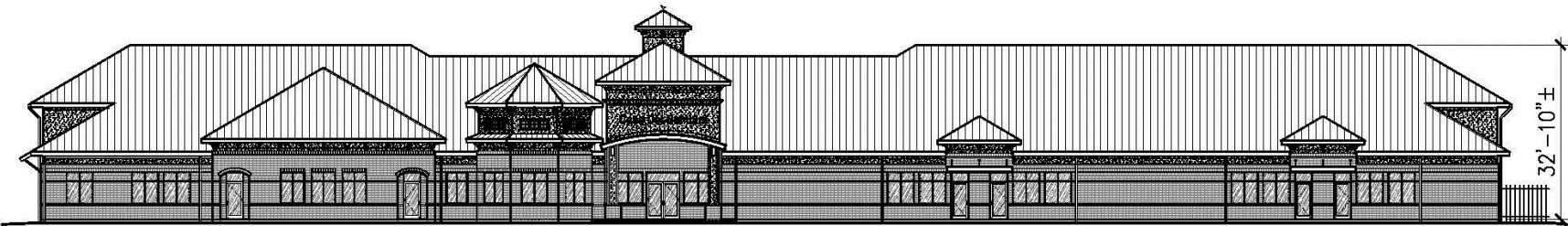
④ NORTH ELEVATION (REAR)



③ WEST SIDE ELEVATION



② EAST SIDE ELEVATION



① SOUTH ELEVATION (FRONT)

TELFAIR CENTRAL DEVELOPMENT